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TITLE 7—AGRICULTURE

Chapter VIII—Commodity Stabilization Service (Sugar), Department of Agriculture

Subchapter G—Determination of Proportionate Shares

[Sugar Determination 850.30]

PART 850—DOMESTIC BEET SUGAR PRODUCING AREA

1956 CROP

Pursuant to the provisions of Section 302 of the Sugar Act of 1948, as amended (hereinafter referred to as "act") the following determination is hereby issued:

§ 850.30 *Proportionate shares for farms in the domestic beet sugar area*—(a) (1) *National acreage and State acreage allocations.* A national acreage objective for 1956-crop sugar beets of 850,000 acres is hereby established and allocated as follows:

State:	*Acres*
California	182,530
Colorado	131,591
Idaho	80,054
Illinois	2,007
Indiana	64
Iowa	1,485
Kansas	7,267
Michigan	77,303
Minnesota	67,263
Montana	51,248
Nebraska	53,816
New Mexico	764
North Dakota	35,006
Ohio	20,367
Oregon	17,805
South Dakota	5,478
Texas	1,631
Utah	30,614
Washington	30,813
Wisconsin	12,149
Wyoming	34,745
Reserve	500
Total	850,000

(2) Acreage within the reserve of 500 acres may be allocated by the Director of the Sugar Division, Commodity Stabilization Service, U. S. Department of Agriculture (hereinafter referred to as "Director") to States not listed in this paragraph for the purpose of establishing proportionate shares for farms having sugar beet production records in the crop period 1950–54 or for new producers (as defined in paragraph (i) (3) of this section) in such States and if necessary to provide acreage for increases in proportionate shares granted by the Director in accordance with paragraph (k) of this section.

(b) *Instructions and forms.* The Director shall cause to be prepared for issuance to Agricultural Stabilization and Conservation State Committees such forms and internal management instructions as are necessary for carrying out the regulations of this section. Such instructions shall be approved and issued by the Deputy Administrator for Production Adjustment, Commodity Stabilization Service, U. S. Department of Agriculture (referred to in this section as "Deputy Administrator")

(c) *Proportionate shares.* The proportionate share of the 1956 crop of sugar beets for a farm shall be the acres established for the farm pursuant to this section within the allocation provided under paragraph (a) of this section for the State in which the base of operations for the farm is located, subject to any increase in acreage granted by the Director in accordance with paragraph (k) of this section.

(d) *Administration of proportionate share program.* In each State the Agricultural Stabilization and Conservation State Committee (hereinafter referred to as "State Committee") shall establish individual farm proportionate shares in accordance with paragraph (i) of this section. In carrying out the proportionate share program within the State, the State Committee may utilize the services of members of Agricultural Stabilization and Conservation county committees and may cooperate with advisory committees consisting of sugar beet growers, representatives of sugar beet grower associations, representatives of sugar beet processors or combinations of these groups. The State Committee shall formulate the standards and procedures in written form for establishing proportionate shares within the State in accordance with the provisions of this section. Such standards and procedures shall be reviewed by the Director for conformity with the provisions of this section and to assure reasonable uniformity between

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adjoining areas in adjacent States, shall be subject to the approval of the Director, and shall be available for public inspection in State and county offices. The basic standards and procedures for each State shall become effective when published in the FEDERAL REGISTER.

(e) *Requests for proportionate shares.* Any operator or owner of a farm for the 1956-crop season (or legal representative) desiring a proportionate share shall file a written request therefor. A form for this purpose may be obtained from local Agricultural Stabilization and Conservation county offices, from fieldmen of sugar companies, or from such other source as the State Committee may designate. The State Committee shall publicize directions for filing such requests. To assure consideration in the initial distribution of acreage pursuant to paragraph (i) (1) (2) or (3) of this section, a request shall be filed on or before the date set forth below for the State: *Provided,* That a request may be accepted after such date for consideration with respect to available acreage, if the State Committee determines that the farm operator or owner was prevented from filing before such date because of absence, illness or other reason beyond his control, and provided, further, that requests may be accepted generally by the State Committee after such date if the total acreage covered by bona fide re-

quests filed by such date by old producers (all producers except new producers and second-year producers (as defined in paragraph (i) (2) of this section)) is less than the acreage available for distribution to old producers:

State	Date
California:	
Northern area	Oct. 21, 1955
Imperial area	Mar. 30, 1956
Colorado	Feb. 3, 1956
Idaho	Jan. 20, 1956
Illinois	Mar. 16, 1956
Indiana	Mar. 16, 1956
Iowa	Mar. 2, 1956
Kansas	Feb. 3, 1956
Michigan	Feb. 17, 1956
Minnesota	Feb. 3, 1956
Montana	Feb. 3, 1956
Nebraska	Feb. 3, 1956
New Mexico	Feb. 17, 1956
North Dakota	Feb. 3, 1956
Ohio	Mar. 2, 1956
Oregon:	
Amalgamated area	Jan. 20, 1956
Utah-Idaho area	Dec. 16, 1955
South Dakota	Mar. 30, 1956
Texas	Jan. 27, 1956
Utah	Feb. 3, 1956
Washington	Dec. 16, 1955
Wisconsin	Feb. 17, 1956
Wyoming	Feb. 3, 1956

(f) *Waiver of requirements in case of deficiency of requests.* If the requested and planted acreages in any State are less than the acreage available for distribution in such State, the requirements of paragraphs (g) (h) (i) and (k) of this section shall not apply and the proportionate shares for individual farms in such State shall be established within the State allocation so as to coincide with the acreages of 1956-crop sugar beets planted on each farm.

(g) *Set-aside acreage for new producers, appeals and adjustments.* Not less than one percent of the State acreage allocation shall be set aside for establishing proportionate shares for farms operated by new producers and not less than an additional one percent shall be set aside for adjustments under appeals. Any acreage required to supplement the acreage available from initial proportionate shares in excess of requested acreages in making adjustments in initial proportionate shares pursuant to paragraph (i) (1) of this section may also be set aside.

(h) *Subdivision of State acreage allocation.* Before establishing individual farm proportionate shares, the State Committee may subdivide the State acreage allocation into allotments for areas within the State, such as an area served by a beet sugar company, a county, or a group of counties. In making any such subdivision, appropriate weightings, approved by the Director, shall be given to the past production of sugar beets and the ability to produce sugar beets. "Past production" shall be measured by the average planted acreage of the area for not less than three crop years during the period 1950 through 1954, except that if the State Committee determines that the period 1950 through 1954 is not representative for the area, a longer period may be used upon prior approval of the Director. "Ability" shall be measured by the area's largest planted acreage during any of the crop years used to measure "past production" Subject to the provisions of paragraph (i) (4) of this section, unused acreage may be reallotted by the State Committee among the aforementioned areas within the State. If the State acreage allocation is not subdivided, proportionate shares will be established directly from such allocation.

(i) *Establishment of individual proportionate shares*—(1) *Old producers.* (i) In establishing individual farm proportionate shares for old producers from area allotments or from the State allocation, the State Committee shall consider the factors of past production of sugar beets and ability to produce sugar beets. These factors will involve the application of a formula to the record of production of sugar beets on the farm during not less than three crop years in the period 1950 through 1954, except that if the State Committee determines that the period 1950 through 1954 is not representative for the area, a longer period may be used upon prior approval of the Director. However, if the farm operator is a tenant in an area where sugar beet production is organized around tenant-operators rather than around units of land, production may be measured by the personal sugar beet production record of the farm operator within such area during such selected years or the State Committee may use a combination of farm and such personal production records. In case of death or incapacity of a tenant, his personal sugar beet production record shall be credited to the administrator or executor of his estate or to a member of his family, if in the year of such death or incapacity, or the following year, such administrator, executor, or family member continues as a tenant the customary sugar beet operations of the deceased or incapacitated tenant.

(ii) The acreages resulting from the application of such formula for individual farms (farm bases) shall be adjusted pro rata by the percentage relationship between the total acreage to be allotted (area allotment less the set-asides made pursuant to paragraph (g) of this section and the initial proportionate shares of second-year producers established in accordance with subparagraph (2) of this paragraph) and the total acreage resulting from the use of the formula. The resulting acreage for each such farm (initial proportionate share), as well as the initial proportionate share of each second-year producer, shall then be adjusted by the State Committee to the extent determined by it to be necessary to establish a proportionate share for the farm which is fair and equitable as compared with proportionate shares for all other farms in the area, by taking into consideration availability and suitability of land, area of available fields, availability of irrigation water (where irrigation is used) adequacy of drainage, availability of production and marketing facilities and the production experience of the operator.

(2) *Second-year producers.* For each farm operated by a "second-year producer" (the operator of the farm for which a "new producer" proportionate share was established for the 1955 crop and which will be operated by the same producer for 1956), the State Committee shall establish an initial proportionate share equal to the initial 1955-crop share established for such farm.

(3) *New producers.* Within the acreage set aside for new producers from the State acreage allocation pursuant to paragraph (g) of this section and other unused acreage that the State Committee determines should be used for new producers, proportionate shares shall be established in an equitable manner for farms which are to be operated by new producers during the 1956-crop year. In determining proportionate shares for farms which are to be operated by new producers, the State Committee shall take into consideration availability and suitability of land, area of available fields, availability of irrigation water (where irrigation is used) adequacy of drainage, availability of production and marketing facilities and the producton experience of the operator. For the purposes of this section, the term "new producer" shall mean a farm operator on a farm which has no record of sugar beet production for the period of years selected by the State Committee for establishing proportionate shares except that such term shall not include a tenant (including an owner who is also a tenant) whose personal sugar beet production record will be considered under subparagraph (1) of this paragraph. The entire acreage set aside for new producers shall be allotted to new producers, if requested, unless the State Committee finds that new producers would then be allotted shares out of proportion to the shares established for old producers and such committee obtains the approval of the Director to allot a lesser acreage. Any acreage set aside for new producers and not requested and any acreage allotted to new producers and remaining unused shall be available for distribution to other farms.

(4) *Redistribution of unused proportionate share acreage.* Adjustments in proportionate shares may be made within the State acreage allocation in accordance with procedures established by the State Committee to offset underplanting and failure to plant: *Provided,* That in case of a disagreement between producers and a sugar beet processor with respect to the sugar beet purchase contract to be effective in the settlement area, or where no company offers a contract to producers to cover fully the shares established for their farms, the shares allotted to the farms operated by such producers shall not be reduced unless the affected producers voluntarily agree to reductions in their respective proportionate shares or the State Committee determines that such shares should be reduced because of unusual circumstances and for good cause.

(5) *Small producers, cash tenants, share tenants, and sharecroppers.* In establishing proportionate shares, the State Committee shall, insofar as practicable, protect the interests of small producers and the interests of producers who are cash tenants, share tenants, or sharecroppers.

(j) *Notification of proportionate shares.* Each farm operator filing a request shall be notified in writing on behalf of the State Committee of the proportionate share established in response to his request, even if the acreage established is "none" and such notice shall inform him of his right to appeal under paragraph (k) of this section. In any State to which the provisions of paragraph (f) of this section apply, producers may be furnished a general notice informing them that their proportionate shares will coincide with their respective planted acreages, notwithstanding any prior notices to the contrary.

(k) *Appeals.* A farm operator who believes that the proportionate share established for his farm pursuant to this section is inequitable may file a written appeal for reconsideration of such proportionate share at the local Agricultural Stabilization and Conservation county office, not later than the date established therefor by the State Committee. The appeal shall be accompanied by a statement of facts constituting the basis for such appeal. The appeal shall be reviewed and forwarded with recommendations to the State Committee. The State Committee shall review the appeal, and any increase in the proportionate share approved by the State Committee by reason of the appeal shall be within the acreage set aside for appeals pursuant to paragraph (g) of this section and any other acreage remaining unused within the State allocation. The State Committee shall notify the operator in writing as soon as possible regarding its decision in the case. If the farm operator is dissatisfied with the decision of the State Committee, he may appeal in writing to the Director, whose decision shall be final. In acting upon the appeal, the State Committee or the Director shall consider only such matters as under the provisions of this determination are required or permitted to be considered by such Committee in the establishment of the farm proportionate share to be reviewed.

(l) *Eligibility for payment under the act.* To be eligible for a payment under the act with respect to the 1956 crop, a sugar beet producer must not market (or process) sugar beets for the extraction of sugar or liquid sugar from an acreage on the farm in excess of the proportionate share for the farm, as established pursuant to this section, and he must meet the requirements of the act with respect to child labor, wage rates, and in the case of a processor-producer, prices paid for sugar beets.

STATEMENT OF BASES AND CONSIDERATIONS

Sugar act requirements. As a condition for payment, section 301 (b) of the act requires compliance with the proportionate share established for the farm. In the domestic beet sugar area, the term "proportionate share" is the individual farm's share of the total acreage of sugar beets required to enable the producing area to meet its quota (and provide a normal carryover inventory) as estimated by the Secretary for the calendar year during which the larger part of the sugar from such crop normally would be marketed.

Section 302 (a) of the act provides that the amount of sugar with respect to which payment may be made shall be the amount of sugar commercially recoverable from the sugar beets grown on a farm and marketed (or processed by the producer) for sugar or liquid sugar not in excess of the proportionate share established for the farm.

Section 302 (b) provides that in determining the proportionate share for a farm, the Secretary may take into consideration the past production on the farm of sugar beets marketed (or processed) for the extraction of sugar or liquid sugar and the ability to produce such sugar beets, and that the Secretary shall, insofar as practicable, protect the interests of new producers and small producers, and the interests of producers who are cash tenants, share tenants, or sharecroppers.

General. Restrictive proportionate shares are required when the indicated sugar supply for an area will be greater than the quantity needed to fill the quota and provide a normal carryover inventory for such area.

The sugar extracted from each crop in the beet sugar area is normally marketed during two calendar years. Since the processing of the crop in most of the beet sugar factory districts usually begins in the month of October, only a minor portion of the total sugar extracted from a crop is marketed during the balance of the calendar year.

The 1953 and 1954 sugar beet crops yielded 1,873,000 and 1,999,000 tons of sugar, raw value, respectively. These successive outturns in excess of the beet sugar quota of 1,800,000 tons created a higher-than-average carryover inventory at the beginning of 1955. The carryover on January 1, 1956, is expected to be about the same since current estimates of the 1955 crop indicate a yield approximating the quota. A strong grower interest in producing 1956-crop sugar beets is anticipated. Accordingly, this situation requires the curtailment of the 1956 crop.

Production objective. A production objective of 850,000 acres was established for the 1955 crop and allocated to States under procedure contemplating that the entire acreage would not be planted. Due to unusual circumstances which prevailed in a number of States, about 5 percent of the allocated acreage was not planted. In most of the States where underplanting of the 1955 crop occurred, more favorable conditions are expected to prevail for the 1956 crop. Since no reduction in grower interest is foreseen for any State, planted acreages should be nearer in line with State allocations. Considering the sugar marketing possibilities, the allocation of 850,000 acres for the 1956 crop should enable the area to meet its sugar quota and carryover requirements.

Determination. Under this determination, the provisions applicable to the 1955 crop are extended in large part to the 1956 crop, with minor changes generally in State allocations and in other details. Thus, the over-all plan of operating on a State basis through ASC State Committees, with the assistance of industry advisory committees, is continued.

In announcing an informal public hearing which was held on June 27 in Washington, D. C., on the matter of 1956-crop shares, the Department suggested the following actions for consideration: Establish a national reserve of 1,000 acres for States not having production in the base period and for hardship cases; establish State base acreages by the same formula used for the 1955 crop, with an additional ceiling of the average 1954–55 average acreage for each State to correct in part for 1955-crop underplantings; within each State, use the 1955-crop area breakdown, also area and farm formulas unless changes are deemed necessary by the appropriate State Committee to establish equitable shares; for 1955-crop "new producers" continue initial 1955 shares for 1956; and continue similar provisions for adjustments, appeals and new producers, except that adjustments after the planting season would be prohibited.

The hearing was attended by representatives of the major sugar beet grower associations and sugar beet processors. General agreement was indicated that the 1955-crop program was satisfactory. Adverse reactions were expressed generally regarding the proposal to use 1954–55 average acreages as a ceiling in computing 1956-crop State allocations. It was contended that any such provision applied for 1956 or any future crop would give too much effect to crop catastrophes or unusual circumstances occurring in a short period. It was pointed out that processors had refused to contract for full 1955 farm shares in one State due to the limitations of sugar marketing allotments. Unusual water shortages existed in certain States. In a number of Midwestern and Great Lakes States, the growers reacted adversely in 1955 to the abnormally low quality and resulting prices of the 1954 crop, which was harvested under extremely unfavorable weather conditions. It was the consensus that adjustments in shares should be permitted beyond the planting season, at least until acreages are measured. Some objection was expressed concerning the proposed national reserve of 1,000 acres.

The 1956-crop State allocations continue in large part the results of the formula used for the 1955 crop, with relatively small reductions for States wherein 1955-crop plantings were substantially less than the respective allocations and with corresponding pro rata increases for other States. Under this formula, no reduction is made in a State allocation for underplanting to the extent of 5 percent, which was the degree of 1955-crop underplanting. Some adjustment in cases of failure to plant to a greater degree is deemed necessary to gradually shape the allocation pattern to current demands for acreage.

For each State, the 1956-crop allocation was computed as follows:

1. An initial base acreage was computed by giving a weighing of 75 percent to the average acreage for the crops of 1950–54 (using final 1954 data), as a measure of "past production", and giv-

ing a weighting of 25 percent to the largest acreage of any of the crops of 1950–54, as a measure of "ability to produce"

2. If the initial base acreage was less than 97.96 percent (850,000 -- the U. S. average 1953–54 acreage) of the 1953–54 average acreage for the State, the base acreage was increased to the 97.96 percent level.

3. If the initial base acreage was more than 125 percent of the 1954 acreage for the State, the base acreage was reduced to the 125 percent level.

4. The base acreages so computed were reduced pro rata to a total of 850,000 acres.

5. The 1955-crop allocation computed in item 4 above was then used as a 1956-crop base acreage for each State wherein the 1955-crop planted acreage equaled or exceeded 95 percent of such allocation (effective for 13 States) For each of the other States, a base acreage was established equal to the larger of (a) 95 percent of the recomputed 1955-crop allocation (effective for Illinois, Indiana, Iowa, Michigan and Wisconsin) or (b) 105.3 percent (100÷95) of the 1955-crop planted acreage (effective for California, Colorado, and Kansas)

6. The resulting base acreages were adjusted pro rata to a total of 849,999 acres.

The effects of recomputing 1955-crop allocations and making adjustments on account of 1955-crop underplantings are shown in the following data:

State	Actual 1955-crop allocation	Recomputed 1955-crop allocation	Estimated 1955-crop plantings	1956-crop allocation	Percent, column (5) of column (3)
(1)	(2)	(3)	(4)	(5)	(6)
California	182,410	183,140	172,600	182,600	99.7
Colorado	130,715	130,700	123,600	131,451	100.7
Idaho	73,715	73,434	73,715	69,654	100.8
Illinois	2,035	2,000	1,820	2,097	[illegible]7
Indiana	70	67	60	64	[illegible]5
Iowa	1,545	1,552	884	1,465	[illegible]7
Kansas	7,235	7,247	6,848	7,227	100.3
Michigan	81,420	81,203	65,614	77,693	[illegible]7
Minnesota	68,035	67,742	63,013	67,203	100.8
Montana	50,630	50,851	50,630	51,243	100.8
Nebraska	68,720	68,590	67,013	68,816	100.8
New Mexico	770	763	770	764	100.8
North Dakota	34,600	34,734	34,600	35,001	100.8
Ohio	20,200	20,200	19,782	20,357	100.8
Oregon	17,685	17,697	17,685	17,835	100.8
South Dakota	5,305	5,468	5,305	5,418	100.8
Texas	1,550	1,618	1,550	1,631	100.8
Utah	20,545	20,577	20,221	20,814	100.8
Washington	20,705	20,574	20,705	20,813	100.8
Wisconsin	12,805	12,690	7,200	12,142	[illegible]7
Wyoming	34,645	34,470	34,645	34,745	100.8
Reserve acreage	0	0	0	500	.....
Total	850,000	850,000	837,803	850,000	.....

This determination establishes a small national reserve acreage for possible contingencies, but the amount is set at 500 acres rather than 1,000 acres as proposed at the hearing, and its use by the Director of the Sugar Division is limited to specific purposes.

To provide more adequate public notice, the determination establishes the dates by which requests for proportionate shares must be filed to assure consideration in the initial distribution of acreage. Conditions are specified under which requests filed subsequently may be considered with respect to unallotted acreage.

Under this determination, each ASC State Committee will recommend standards and procedures for the approval of the Director. It is expected that procedures identical to those used for 1955 will be recommended in a majority of cases, while desirable improvements will be recommended for the balance.

Initial proportionate shares for "second-year producers" (new producers for 1955) will equal their respective initial 1955-crop shares. To be eligible for such a share, the "second-year producer" must continue to operate the same farm. A new operator on the farm can apply for a "new producer" 1956-crop share, unless he will be credited with a personal sugar beet production record.

The suggestion made by certain sugar beet processors to permit the reallotment of unused acreage across State lines within the same factory district has not been adopted because it would disregard the basic organizational and acreage concepts of the program.

Considering the general adequacy of the 1955-crop procedure and the refinements included herein, it is believed that equitable 1956-crop proportionate shares will result from this procedure.

Accordingly, I hereby find and conclude that the aforestated determination will effectuate the applicable provisions of the act.

(Sec. 403, 61 Stat. 932, 7 U. S. C. Sup. 1153. Interprets or applies sec. 302, 61 Stat. 930; 7 U. S. C. Sup. 1132)

Issued this 21st day of September 1955.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 55-7744; Filed, Sept. 23, 1955; 8:51 a. m.]

[Sugar Determination 856.2, Amdt. 1]

PART 856—HAWAII

1955 AND SUBSEQUENT CROPS

Pursuant to the provisions of Section 302 of the Sugar Act of 1948, as amended, paragraph (c) of § 856.2 of the Determination of Proportionate Shares for Sugarcane Farms in Hawaii for the 1955 and Subsequent Crops, issued June 23, 1955 (20 F. R. 4574) is hereby amended by substituting a period for the semi-colon at the end of subparagraph (1) of such paragraph and adding the following thereafter as part of the said subparagraph: "Any processor-producer who reduces his sugarcane acreage without proportionately reducing the sugarcane acreage of small producers and who desires to retain the right to reinstate at a later date such acreage as hereafter provided, shall, within 60 days after such reduction, notify the Area Director in writing of the number of acres so reduced. During the period for which this section is in effect and within five years from the date of notification or such longer period as may be approved by the Area Director, the processor-producer may, upon application to and approval by the Area Director, increase his sugarcane acreage by an amount not to exceed the acreage so reduced, as adjusted by any percentage increases or decreases applied to the acreage used for the production of sugarcane by the processor-producer which have occurred during the interim period pursuant to the foregoing provisions of this paragraph, but excluding adjustments made under the related proviso. Each application shall be in writing and shall set forth the acreage increase requested. The Director shall approve such application after he is satisfied by such investigation as he deems appropriate that the acreage increase requested will not exceed the previous actual acreage reduction when adjusted as heretofore provided. The acreage percentage relationship requirement heretofore provided in this paragraph shall be modified by recognition of the approved acreage increase in the applicable calendar year in which such increase in acreage is approved and made effective;"

Statement of bases and considerations. Under the original determination, a processor-producer is required within the same year to reduce the number of acres used for the production of sugarcane on his farm in ratio to the total of the reductions on the farms of small producers with whom he contracts. Instances may arise wherein a processor-producer may, for various reasons, wish to reduce his acreage of sugarcane voluntarily without reducing the acreage of small producers. In such instances the determination as heretofore written would not permit the processor-producer to later increase his acreage of sugarcane without affording small producers the opportunity to increase their acreages of sugarcane in the same ratio. The voluntary reduction with a later corresponding increase will not adversely affect small producers. The approval of this procedure will permit processor-producers to remove acreage from sugarcane production on their farms without permanently adjusting the ratio of their sugarcane acreage to that of small producers.

Accordingly, I hereby find and conclude that the foregoing determination will effectuate the purposes of section 302 of the act.

(Sec. 403, 61 Stat. 932; 7 U. S. C. 1153. Interprets or applies Sec. 302, 61 Stat. 930; 7 U. S. C. 1132)

Issued this 21st day of September 1955.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 55-7743; Filed, Sept. 23, 1955; 8:50 a. m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Valencia Orange Reg. 55]

PART 922—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

LIMITATION OF HANDLING

§ 922.355 *Valencia Orange Regulation 55*—(a) *Findings.* (1) Pursuant to Order No. 22 (7 CFR Part 922) regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective March 31, 1954, under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The Valencia Orange Administrative Committee held an open meeting on September 22, 1955, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective date hereof.

(b) *Order* (1) The quantity of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a. m., P. s. t., September 25, 1955, and ending at 12:01 a. m., P. s. t., October 2, 1955, is hereby fixed as follows:

(i) District 1. Unlimited movement;

(ii) District 2: 508,200 boxes;

(iii) District 3: Unlimited movement.

(2) Valencia oranges handled pursuant to the provisions of this section shall be subject to any size restrictions applicable thereto which have heretofore been issued on the handling of such oranges and which are effective during the period specified herein.

(3) As used in this section, "handled," "handler," "boxes," "District 1," "District 2," and "District 3," shall have the same meaning as when used in said order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated:

[SEAL] S. R. SMITH,
Director Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 55-7809; Filed, Sept. 23, 1955; 11:37 a. m.]

[Grapefruit Reg. 227]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.743 *Grapefruit Regulation 227*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than September 26, 1955. Shipments of grapefruit, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, and will so continue until September 26, 1955; the recommendation and supporting information for continued regulation subsequent to September 25, 1955, was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on September 20; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order* (1) During the period beginning at 12:01 a. m., e. s. t., September 26, 1955, and ending at 12:01 a. m., e. s. t., October 10, 1955, no handler shall ship:

(i) Any grapefruit, grown in the State of Florida, which are not mature and do not grade at least U. S. No. 2;

(ii) Any pink seeded grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 80 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box; or

(iii) Any seedless grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 96 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box.

(2) During the period beginning at 12:01 a. m., e. s. t., September 26, 1955, and ending at 12:01 a. m., e. s. t., October 3, 1955, no handler shall ship:

(i) Any white seeded grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 80 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box.

(3) During the period beginning at 12:01 a. m., e. s. t., October 3, 1955, and ending at 12:01 a. m., e. s. t., October 10, 1955, no handler shall ship:

(i) Any white seeded grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 70 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box.

(4) As used in this section, "handler," "ship," and "Growers Administrative

Committee" shall have the same meaning as when used in said amended marketing agreement and order; the terms "U. S. No. 2," "standard pack," and "standard nailed box" shall have the same meaning as when used in the revised United States Standards for Florida Grapefruit (§§ 51.750 to 51.790 of this title) and the term "mature" shall have the same meaning as set forth in § 601.16 Florida Statutes, Chapters 26492 and 28090, known as the Florida Citrus Code of 1949, as supplemented by section 601.17 (Chapters 25149 and 28090) and also by section 601.18, as amended on June 2, 1955 (Chapter 29760)

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated September 21, 1955.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 55-7741; Filed, Sept. 23, 1955; 8:50 a. m.]

[Orange Reg. 281]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.744 *Orange Regulation 281*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933) regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of all Florida oranges, except Temple oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than September 26, 1955. Shipments of all oranges, except Temple oranges, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, and, unless sooner terminated, will so continue until October 3, 1955; the recommendation and supporting information for continued regulation subsequent to September 25, 1955, and in the manner herein provided, was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on September 20; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of all oranges, except Temple oranges, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order* (1) Orange Regulation 280 (§ 933.740; 20 F. R. 3785) is hereby terminated at 12:01 a. m., September 26, 1955.

(2) During the period beginning at 12:01 a. m., e. s. t., September 26, 1955, and ending at 12:01 a. m., e. s. t., October 10, 1955, no handler shall ship:

(i) Any oranges, except Temple oranges, grown in the State of Florida, which do not grade at least U. S. No. 2; or

(ii) Any oranges, except Temple oranges, grown in the State of Florida, which are of a size smaller than a size that will pack 252 oranges, packed in accordance with the requirements of a standard pack, in a standard nailed box.

(3) As used in this section, the terms "handler," "ship," and "Growers Administrative Committee" shall each have the same meaning as when used in said amended marketing agreement and order; and the terms "U. S. No. 2," "standard pack," and "standard nailed box" shall have the same meaning as when used in the revised United States Standards for Florida Oranges (§§ 51.1140 to 51.1186 of this title.)

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: September 21, 1955.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 55-7740; Filed, Sept. 23, 1955; 8:50 a. m.]

[Lemon Reg. 608]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATIONS OF SHIPMENTS

§ 953.715 *Lemon Regulation 608*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 19 F. R. 7175; 20 F. R. 2913), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. time is permitted, under the circumstances, for preparation for such effective 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on September 21, 1955, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., September 25, 1955, and ending at 12:01 a. m., P. s. t., October 2, 1955, is hereby fixed as follows:

(i) District 1. Unlimited movement;
(ii) District 2: 250 carloads;
(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "carloads," "District 1," "District 2," and "District 3" shall have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: September 22, 1955.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable Division, Agricultural Marketing Service.

[F R. Doc. 55-7794; Filed, Sept. 23, 1955; 8:53 a. m.]

PART 997—HANDLING OF FILBERTS GROWN IN OREGON AND WASHINGTON

SALABLE, SURPLUS, AND WITHHOLDING PERCENTAGES

Notice of proposed rule making regarding the fixing of salable, surplus, and withholding percentages of merchantable filberts for the fiscal year beginning August 1, 1955, was published in the FEDERAL REGISTER of Septemer 3, 1955 (20 F R. 6528), pursuant to the provisions of Marketing Agreement No. 115 and Order No. 97, as amended, regulating the handling of filberts grown in Oregon and Washington (7 CFR, Part 997) In said notice, in which it was proposed to fix the salable percentage at 94 percent and the surplus and withholding percentages at 6 percent, opportunity was afforded interested persons to submit to the Department written data, views, or arguments for consideration prior to the issuance of the rule fixing the percentages.

After consideration of all relevant maters, including data, views, and arguments received from interested persons, it is hereby found and determined that the imposition of the percentages as hereinafter set forth will tend to effectuate the declared policy of the Act.

The administrative rule is as follows:

§ 997.205 *Salable, surplus, and withholding percentages for merchantable filberts.* For the fiscal year beginning August 1, 1955, the salable percentage for merchantable filberts shall be 94 percent, the surplus percentage shall be 6 percent, and the withholding percentage shall be 6 percent.

It is hereby found and determined that good cause exists for making this document effective upon its publication in the FEDERAL REGISTER instead of waiting 30 days after publication for the reasons that (1) it is desirable that the percentages be fixed as early as practicable in the fiscal year, and (2) compliance with this administrative rule will not require handlers to make any advance preparation of a special nature.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Issued at Washington, D. C., this 21st day of September 1955, to become effective upon publication in the FEDERAL REGISTER.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable Division.

[F. R. Doc. 55-7742; Filed, Sept. 23, 1955; 8:50 a. m.

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 25—FEDERAL EMPLOYEES' PAY REGULATIONS

DEFINITION OF "HIGHEST PREVIOUS RATE"

Effective upon publication in the FEDERAL REGISTER, § 25.102 (j) Subpart B, is amended as set out below.

§ 25.102 *Definitions.* * * *

(j) "Highest previous rate" is the highest basic salary rate previously paid to a Federal civilian employee occupying a position in a department as defined in section 201 (a) of the Classification Act of 1949, as amended, or in a mixed ownership corporation, irrespective of whether or not such position is subject to the pay schedules of the Classification Act. The highest previous rate must be based on a regular tour of duty at such rate (1) under an appointment not limited to 90 days or less, or (2) for a continuous period of 90 days under one or more appointments without a break in service. If such highest previous rate was earned in a Classification Act position, it shall be increased by any subsequent amendments to the Classification Act pay schedules. If such highest previous rate was earned in a position not subject to the Classification Act, it shall be increased only by those amendments to the Classification Act which were enacted during a period when the employee was not on the rolls of a department or a mixed ownership corporation as described above.

(Sec. 1101, 63 Stat. 971; 5 U. S. C. 1072)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 55-7738; Filed, Sept. 23, 1955; 8:49 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

PART 130—DRUGS EXEMPTED FROM PRESCRIPTION-DISPENSING REQUIREMENTS OF SECTION 503 (b) (1) (C) OF THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

EXEMPTION OF PHENYLTOLOXAMINE DIHYDROGEN CITRATE, AND OXYTETRACYCLINE AND POLYMYXIN B SULFATE PREPARATIONS FROM PRESCRIPTION-DISPENSING REQUIREMENTS

The Commissioner of Food and Drugs, in accordance with the Federal Food, Drug, and Cosmetic Act (secs. 503 (b) (3) 505 (c) 701 (a) 65 Stat. 649, 52 Stat. 1052, 1055; 21 U. S. C. 353 (b) (3) 355 (c) 371 (a)) and the authority delegated to him by the Secretary of Health, Education, and Welfare (21 CFR, 1954 Supp. 1.108 (c)), and finding that no written comments have been filed with respect to the notice of proposed rule making published in the FEDERAL REGISTER on August 5, 1955 (20 F R. 5635) hereby orders the following amendment:

Section 130.1 (a) is amended by adding the following new subparagraphs (4) and (5)

§ 130.1 *Exemption for certain drugs limited by new-drug applications to prescription sale.* (a) * * *

(4) Phenyltoloxamine dihydrogen citrate (*N,N* dimethyl-(α-phenyl-*O*-toloxy) ethylamine dihydrogen citrate) preparations meeting all the following conditions:

(i) The phenyltoloxamine dihydrogen citrate is prepared, with or without other drugs, in tablet or other dosage form suitable for oral use in self-medication, and containing no drug limited to prescription sale under the provisions of section 503 (b) (1) of the act.

(ii) The phenyltoloxamine dihydrogen citrate and all other components of the preparation meet their professed standards of identity, strength, quality, and purity.

(iii) If the preparation is a new drug, an application pursuant to section 505 (b) of the act is effective for it.

(iv) The preparation contains not more than 88 milligrams of phenyltoloxamine dihydrogen citrate (equivalent to 50 milligrams of phenyltoloxamine) per dosage unit.

(v) The preparation is labeled with adequate directions for use in the temporary relief of the symptoms of hay fever and/or the symptoms of other minor conditions in which it is indicated.

(vi) The dosages recommended or suggested in the labeling do not exceed: For adults, 88 milligrams of phenyltoloxamine dihydrogen citrate (equivalent to 50 milligrams of phenyltoloxamine) per dose or 264 milligrams of phenyltoloxamine dihydrogen citrate (equivalent to 150 milligrams of phenyltoloxamine) per 24-hour period; for children 6 to 12 years of age, one-half of the maximum adult dose or dosage.

(vii) The labeling bears, in juxtaposition with the dosage recommendations:

(*a*) Clear warning statements against administration of the drug to children under 6 years of age, except as directed by a physician, and against driving a car or operating machinery while using the drug, since it may cause drowsiness.

(*b*) If the article is offered for temporary relief of the symptoms of colds, a statement that continued administration for such use should not exceed 3 days, except as directed by a physician.

(5) Oxytetracycline and polymyxin B sulfate preparations meeting all the following requirements:

(i) The oxytetracycline and polymyxin B sulfate are prepared in ointment or other dosage form suitable for self-medication by external application to the skin and containing no drug limited to prescription sale under the provisions of section 503 (b) (1) of the act.

(ii) The oxytetracycline, polymyxin B sulfate, and all other components of the preparation meet their professed standards of identity, strength, quality, and purity.

(iii) If the preparation is a new drug, an application pursuant to section 505 (b) of the act is effective for it.

(iv) The preparation contains per gram an amount of oxytetracycline hydrochloride equivalent to not more than 30 milligrams of oxytetracycline and an amount of polymyxin B sulfate equivalent to not more than 10,000 units of polymyxin B.

(v) The preparation is labeled with adequate directions for use by external application to prevent infection in minor burns, minor wounds, and abrasions.

(vi) The labeling bears, in juxtaposition with the directions for use, clear warning statements against:

(*a*) Use of the preparation in the eye.

(*b*) Use if irritation or infection develops, except as directed by a physician.

This amendment removes the drugs mentioned therein from the prescription-dispensing requirements of the Federal Food, Drug, and Cosmetic Act (sec. 503 (b) (1) (C) 52 Stat. 1052, 65 Stat. 649; 21 U. S. C. 353 (b) (1) (C)). These drugs were previously limited by their new-drug applications to use under professional supervision because the scientific data establishing the toxic potential of the drugs and their intended use showed that they were safe only if used under professional supervision.

Pursuant to the regulations in § 1.108 (c) of this chapter (21 CFR, 1954 Supp., 1.108 (c)) petitions have been submitted to remove the prescription restrictions from these drugs. Evidence now available through investigation and marketing experience shows that the drugs can be safely used by the laity in self-medication if they are used in accordance with the proposed labeling. The restriction to prescription sale is no longer necessary for the protection of the public health.

This action in removing the prior restriction limiting these drugs to prescription sale is taken under the authority of the Federal Food, Drug, and Cosmetic Act (secs. 503 (b) (3) 505 (c) 52 Stat. 1052, 65 Stat. 649; 21 U. S. C. 353 (b) (3) 355 (c)) which provides for and requires the removal of such restrictions if they are not necessary for the protection of the public health.

Effective date. This order shall become effective 30 days after the date of its publication in the FEDERAL REGISTER.

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371. Interprets or applies secs. 503, 505, 52 Stat. 1052, 65 Stat. 649; 21 U. S. C. 353, 355)

Dated: September 19, 1955.

[SEAL] GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F. R. Doc. 55-7718; Filed, Sept. 23, 1955; 8:45 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter I—Office of Defense Mobilization

[Defense Mobilization Order-VII-6, Supplement 2]

DMO VII-6, SUPP. 2—EXPANSION GOALS

1. Defense Mobilization Order-VII-6, dated December 3, 1953 (18 F R. 7876) is supplemented as follows: Expansion Goal No. 63 Aluminum, Primary is hereby transferred from List II, Suspended to List I, Closed.

2. This supplement shall be effective on September 22, 1955.

OFFICE OF DEFENSE MOBILIZATION,
ARTHUR S. FLEMMING,
Director.

[F. R. Doc. 55-7738; Filed, Sept. 23, 1955; 10:09 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard, Department of the Treasury

[CGFR 55-43]

Subchapter H—Passenger Vessels

PART 78—OPERATIONS

SUBPART 78.50—MARKINGS ON VESSELS

Subchapter I—Cargo and Miscellaneous Vessels

PART 97—OPERATIONS

SUBPART 97.40—MARKINGS ON VESSELS

The Customs Regulation 19 CFR 3.15 regarding marking of draft of registered vessels was canceled in accordance with T. D. 53859 published in the FEDERAL REGISTER dated August 5, 1955 (20 F. R. 5646) In order that Coast Guard regulations will reflect this change, 46 CFR 78.50-5 (a) (3) and 97.40-5 (a) (3), regarding draft marks, are canceled.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order No. 120, dated July 31, 1950 (15 F R. 6521) and Treasury Department Order 167-14, dated November 26, 1954 (19 F. R. 8026) to promulgate regulations in accordance with the statutes cited with the regulations below, the following amendments are prescribed:

1. Section 78.50-5 *Markings required by customs regulations* is amended by canceling paragraph (a) (3)

2. Section 97.40-5 *Markings required by customs regulations* is amended by canceling paragraph (a) (3).

(R. S. 4405, as amended, 4462, as amended; 46 U. S. C. 375, 416)

Dated: September 16, 1955.

[SEAL] J. A. HIRSHFIELD,
Rear Admiral, U. S. Coast Guard, Acting Commandant.

[F. R. Doc. 55-7729; Filed, Sept. 23, 1955; 8:48 a. m.]

Subchapter Q—Specifications

[CGFR 55-42]

PART 160—LIFESAVING EQUIPMENT

BUOYANT VESTS AND BUOYANT CUSHIONS FOR USE ON CERTAIN MOTORBOATS

The specifications for buoyant vests and buoyant cushions for use on motorboats of Classes A, 1, and 2 not carrying passengers for hire, designated 46 CFR Subparts 160.047, 160.048, and 160.049, were published in the FEDERAL REGISTER dated December 18, 1954 (19 F. R. 8691-8708) The regulations require that buoyant cushions after October 1, 1955 shall be constructed in accordance with these specifications. These amendments to the specifications are relaxations of requirements, changes in procedures, and editorial changes, which are in effect on and after their date of publication in the FEDERAL REGISTER.

The amendments to 46 CFR 160.047-1 (a) (2) 160.047-3 (c) 160.048-1 (a) (1) and 160.048-3 (b) are editorial changes and bring up to date reefrences to military specifications.

The amendments to 46 CFR 160.047-6 (a), 160.048-6 (a) and 160.049-6 (a) revise the marking regulations by eliminating the requirement for dating buoyant vests and buoyant cushions.

The amendment to 46 CFR 160.048-2 (b) adds a reference to Table 160.048-4 (c) (1) (ii) which was inadvertently omitted.

The amendments to 46 CFR 160.048-3 (c) (2) 160.048-4 (d) and 160.049-3 (b) (2) reduce the requirements for breaking strength of vinyl coated upholstery cloth. The new requirements specify a minimum breaking strength of 100 pounds in the warp by 65 pounds in the fill for vinyl coated upholstery cloth. This change allows manufacturers to use materials considered as standard items by most upholstery cloth manufacturers.

The amendments to 46 CFR 160.048-4 (c) (1) (i) 160.048-4 (c) (1) (ii) and 160.049-4 (c) (1) expand the tables of sizes of cushions authorized under group approvals. These amendments remove the maximum size limitations. This will permit a manufacturer of cushions under a group approval to determine what sizes of cushions he wishes to manufacture without first obtaining an individual approval for each size of buoyant cushion manufactured that is over 24 inches wide and 36 inches long.

Because the amendments in this document are relaxations in requirements, changes in procedures, or editorial changes, it is hereby found that compliance with the Administrative Procedure Act respecting notice of proposed rule making, public rule making procedures thereon, and effective requirements thereof is unnecessary.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order No. 120 dated July 31, 1950 (15 F R. 6521) and in compliance with the statutes cited with the regulations below, the following amendments are prescribed and shall be in effect on and after the date of publication of this document in the FEDERAL REGISTER.

SUBPART 160.047—BUOYANT VESTS, KAPOK OR FIBROUS GLASS, ADULT AND CHILD, MODELS AK, CKK, CKS, AF, CFK, AND CFS, FOR MOTORBOATS OF CLASSES A, 1, OR 2 NOT CARRYING PASSENGERS FOR HIRE

1. Section 160.047-1 (a) (2) is amended to read as follows:

§ 160.047-1 *Applicable specifications and plans*—(a) *Specifications.* * * *

(2) Military specifications:

MIL-W-530—Webbing, Textile, Cotton, General Purpose, Natural or in Color.
MIL-B-2760—Batt, Fibrous Glass, Lifesaving Equipment.
MIL-P-16293—Film, Flexible, Vinyl.

2. Section 160.047–3 (c) is amended to read as follows:

§ 160.047–3 *Materials.* * * *

(c) *Fibrous glass.* The fibrous glass shall comply with the requirements of Specification MIL–B–2766.

3. Section 160.047–6 (a) is amended to read as follows:

§ 160.047–6 *Marking*—(a) *General.* Each buoyant vest shall be marked with a rectangular cloth tag attached to the back of the envelope with stitching along all edges of the tag. The following information shall be plainly printed in waterproof ink on each tag:

BUOYANT VEST

Model _____

Adult (or Child)

Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

U. S. Coast Guard Approval No. _____
Lot No. _____

This vest is filled with (kapok or buoyant fibrous glass) sealed in plastic film pad covers. For maximum durability care should be taken to avoid puncturing or snagging inner plastic film pad covers. When vest is wet, hang up and dry thoroughly. If pads become waterlogged, replace vest.

(Name and address of manufacturer)

SUBPART 160.048—BUOYANT CUSHIONS, KAPOK OR FIBROUS GLASS, FOR MOTORBOATS OF CLASSES A, 1, OR 2 NOT CARRYING PASSENGERS FOR HIRE

4. Section 160.048–1 (a) (1) is amended to read as follows:

§ 160.048–1 *Applicable specifications*—(a) *Specifications.* * * *

(1) Military specifications:

MIL–B–2766—Batt, Fibrous Glass, Lifesaving Equipment.
MIL–F–10400—Film, Flexible, Vinyl.

5. Section 160.048–2 (b) is amended to read as follows:

§ 160.048–2 *Types and sizes.* * * *

(b) *Sizes.* Buoyant cushions shall have not less than 225 square inches top surface area, widths and lengths which fall within the dimensions shown in Tables 160.048–4 (c) (1) (i) and 160.048–4 (c) (1) (ii) and thicknesses not less than 2 nor more than 3 inches, the thickness to be considered as the finished width of the gusset between seams.

6. Section 160.048–3 is amended by revising paragraphs (b) and (c) (2) to read as follows:

§ 160.048–3 *Materials.* * * *

(b) *Fibrous glass.* The fibrous glass shall comply with the requirements of specification MIL–B–2766.

(c) *Cover* * * *

(2) *Coated upholstery cloth.* Coated upholstery cloth shall be vinyl resin coated 59" 1.85 cotton drill, with a thread count of approximately 68 x 40. The coated cloth, including both the fabric backing and the coating, shall have a finished weight of not less than 16 ounces per yard for a finished width of 54 inches, and shall have a breaking strength of not less than 100 pounds in the warp and 65 pounds in the filling. Other vinyl resin coated fabrics having a weight and breaking strength not less than the above will be acceptable.

7. Section 160.048–4 is amended by revising Table 160.048–4 (c) (1) (i) and Table 160.048–4 (c) (1) (ii) in paragraph (c) and paragraph (d) to read as follows:

§ 160.048–4 *Construction and workmanship.*

(c) *Buoyant material.* * * *

TABLE 160.048–4 (c) (1) (i)—WEIGHT OF KAPOK (IN OUNCES) FOR FILLING RECTANGULAR BUOYANT CUSHIONS 2 INCHES THICK

Length (inches)	Width (inches)													
	12	13	14	15	16	17	18	19	20	21	22	23	24	Over 24
15				20										
16				21	23									
17			21	23	24	26								
18		21	22	24	26	27	29							
19	20	22	24	25	27	29	30	32						
20	21	23	25	27	28	30	32	34	36					
21	22	24	26	28	30	32	34	35	37	39				
22	23	25	27	29	31	33	35	37	39	41	43			
23	25	27	29	31	33	35	37	39	41	43	45	47		
24	26	28	30	32	34	36	38	41	43	45	47	49	51	
25	27	29	31	33	36	38	40	42	44	47	49	51	53	(1)
26	28	30	32	35	37	39	42	44	46	49	51	53	55	(1)
27	29	31	34	36	38	41	43	46	48	50	53	55	58	(1)
28	30	32	35	37	40	42	44	47	50	52	55	57	60	(1)
29	31	34	36	39	41	44	46	49	52	54	57	59	62	(1)
30	32	35	37	40	43	45	48	51	53	56	59	61	64	(1)
31	33	36	39	41	44	47	50	52	55	58	61	63	66	(1)
32	34	37	40	43	46	48	51	54	57	60	62	65	68	(1)
33	35	38	41	44	47	50	53	56	59	62	64	67	70	(1)
34	36	39	42	45	48	51	54	57	60	63	66	69	73	(1)
35	37	40	44	47	50	53	56	59	62	65	68	72	75	(1)
36	38	42	45	48	51	54	58	61	64	67	70	74	77	(1)
Over 36	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)

[1] Determine amount of kapok from formula (1) contained in § 160.048–4 (c) (2).

TABLE 160.048–4 (c) (1) (ii)—WEIGHT OF FIBROUS GLASS (IN OUNCES) FOR FILLING RECTANGULAR BUOYANT CUSHIONS 2 INCHES THICK

Length (inches)	Width (inches)													
	12	13	14	15	16	17	18	19	20	21	22	23	24	Over 24
15				36										
16				38	41									
17			38	41	44	46								
18		37	40	43	46	49	52							
19	36	40	43	46	49	52	55	58						
20	38	42	45	48	51	54	58	61	64					
21	40	44	47	50	54	57	60	64	67	71				
22	42	46	49	53	56	60	63	67	70	74	77			
23	44	48	52	55	59	63	66	70	74	77	81	85		
24	46	50	54	58	61	65	69	73	77	81	84	88	92	
25	48	52	56	60	64	68	72	76	80	84	88	92	96	(1)
26	50	54	58	62	67	71	75	79	83	87	92	96	100	(1)
27	52	56	60	65	69	73	78	82	86	91	95	99	104	(1)
28	54	58	63	67	72	76	81	85	90	94	99	103	108	(1)
29	56	60	65	70	74	79	84	88	93	97	102	107	111	(1)
30	58	62	67	72	77	82	86	91	96	101	106	110	115	(1)
31	60	64	69	74	79	84	89	94	99	104	109	114	119	(1)
32	61	67	72	77	82	87	92	97	103	108	113	118	123	(1)
33	63	69	74	79	84	90	95	100	106	111	116	121	127	(1)
34	65	71	76	82	87	92	98	103	109	114	120	125	131	(1)
35	67	73	78	84	90	95	101	106	112	118	123	129	134	(1)
36	69	75	81	86	92	98	104	109	115	121	127	132	138	(1)
Over 36	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)

[1] Determine amount of fibrous glass from formula (2) contained in § 160.048–4 (c) (2).

(d) *Pad covers for buoyant material.* Before being inserted in the outer cover the buoyant material shall be placed in waterproof vinyl film pad covers which shall be heat-sealed tight. The heat-sealed pad seams shall show an adhesion of not less than 8 pounds when one inch strips cut across and perpendicular to the seams are pulled apart at a rate of separation of the clamping jaws of the test machine of 12 inches per minute. Each cushion shall contain not less than four pads and all pads in a cushion shall contain approximately equal portions of the total amount of buoyant material in the cushion. The buoyant material may be inserted directly into the vinyl film pad covers or may first be packed in bags made of print cloth or other suitable material and then inserted into the vinyl film pad covers. The pads shall be of such size as to adequately fill the outer cover, and prior to sealing, the pads shall be evacuated of air sufficiently that when sat on the pads will not "balloon" excessively because of the pressure in the pad covers. For 15" x 15" x 2" cushions the four vinyl film pad covers shall each be cut approximately 12" wide x 12" long or approximately 8" wide x 18" long; shall each have a sealed area of approximately 125 square inches; shall contain not less than 5 ounces of kapok or 9 ounces of fibrous glass each; and the volume displacement of the individual heat-sealed pad inserts shall be 5½ pounds each, plus or minus ½ pound, when tested in accordance with the method set forth in § 160.048–5 (e) (1), except that the pad covers shall not be slit open, and the period of submergence shall be only long enough to determine the displacement of the pads.

8. Section 160.048–6 (a) is amended to read as follows:

§ 160.048–6 *Marking*—(a) *General.* Each buoyant cushion shall be marked with a rectangular cloth tag attached to the boxing or gusset by stitching along all four edges of the tag. The following information shall be plainly printed in waterproof ink on each tag:

BUOYANT CUSHION

Size _____
(Show width, length,[1] and thickness)
Contains ____ oz. _____
(Show kapok or fibrous glass)

Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

U. S. Coast Guard Approval No. _____
Lot No. _____

This cushion is filled with _____
(Show kapok or
_____ sealed in plastic film pad cov- fibrous glass)
ers. For maximum durability care should should be taken to avoid puncturing or snagging inner plastic film pad covers. When cushion is wet, hang it up and dry it thoroughly. If cushion becomes waterlogged, replace it.

Name and address of manufacturer[2]

[1] For trapezoidal cushions show both top and bottom lengths.
[2] Name and address of distributor for private brand label cushions.

SUBPART 160.049—BUOYANT CUSHIONS, UNICELLULAR PLASTIC FOAM, FOR MOTORBOATS OF CLASSES A, 1, OR 2 NOT CARRYING PASSENGERS FOR HIRE

9. Section 160.049–3 (b) (2) is amended to read as follows:

§ 160.049–3 *Materials.* * * *
(b) *Cover* * * *
(2) *Coated upholstery cloth.* Coated upholstery cloth shall be vinyl resin coated 59" 1.85 cotton drill, with a thread count of approximately 68 x 40. The coated cloth, including both the fabric backing and the coating, shall have a finished weight of not less than 16 ounces per yard for a finished width of 54 inches and shall have a breaking strength of not less than 100 pounds in the warp and 65 pounds in the filling. Other vinyl resin coated fabrics having a weight and breaking strength not less than the above will be acceptable.

10. Section 160.049–4 (c) (1) is amended by revising Table 160.049–4 (c) (1) to read as follows:

§ 160.049–4 *Construction and workmanship.* * * *
(c) *Buoyant material.* * * *

TABLE 160.049–4 (c) (1)—MINIMUM THICKNESS (IN INCHES) OF UNICELLULAR FOAM INSERTS FOR RECTANGULAR OR TRAPEZOIDAL SHAPED BUOYANT CUSHIONS

Length (inches)	Width (inches)						
	12	13	14	15	16	17	Over 17
15	---	---	---	2⅞			
16	---	---	---	2¾	2½	---	---
17	---	---	2¾	2½	2⅜	2¼	---
18	---	2¾	2½	2⅜	2¼	2⅛	2
19	2⅞	2⅝	2⅜	2¼	2⅛	2	2
20	2½	2½	2¼	2⅛	2	2	2
21	2¼	2⅜	2¼	2	2	2	2
22	2½	2¼	2⅛	2	2	2	2
23	2⅜	2⅛	2	2	2	2	2
24	2¼	2⅛	2	2	2	2	2
25	2⅛	2	2	2	2	2	2
Over 25	2	2	2	2	2	2	2

11. Section 160.049–6 (a) is amended to read as follows:

§ 160.049–6 *Marking — (a) General.* Each buoyant cushion shall be marked with a rectangular cloth tag attached to the boxing or gusset by stitching along all edges of the tag. The following information shall be plainly marked in waterproof ink on each tag:

BUOYANT CUSHION

Size _____
(Show width, length,[1] and thickness)
Contains _____ cubic inches of unicellular plastic foam.

Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

U. S. Coast Guard Approval No. _____

Lot No. _____
When cushion is wet, hang up and dry thoroughly.

Name and address of manufacturer[2]

[1] For trapezoidal cushions show both top and bottom lengths.
[2] Name and address of distributor for private brand label cushions.

(R. S. 4405, as amended, 4462, as amended; 46 U. S. C. 375, 416. Interpret or apply secs. 6, 17, 54 Stat. 164, 166, as amended; 46 U. S. C. 526e, 526p.)

Dated: September 16, 1955.

[SEAL] J. A. HIRSHFIELD,
Rear Admiral, U. S. Coast Guard,
Acting Commandant.

[F. R. Doc. 55–7728; Filed, Sept. 23, 1955; 8:47 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Rules Amdt. 4–1]

PART 4—EXPERIMENTAL AND AUXILIARY BROADCAST SERVICES

FREQUENCY ASSIGNMENTS

In the matter of amendment of § 4.602 of the Commission's rules and regulations.

The Commission has under consideration the desirability of making certain editorial changes in § 4.602 of its rules and regulations.

Section 4.602 sets forth the frequency bands available for assignment to television auxiliary broadcast stations. Included therein is the frequency band 10500–10700 Mc which is shared by other communication services. However, footnote US15 to § 2.104 *Frequency allocations* states that the shared use of this band is to be determined at a later date.

In order that § 4.602 should not conflict with § 2.104, § 4.602 is being amended by adding a footnote stating that pending determination of sharing agreements among various radio communications services, frequency assignments in the 10500–10700 Mc band will not be made to TV auxiliary stations.

The amendment adopted herein is editorial in nature, and, therefore, prior notice of rule making under the provisions of section 4 of the Administrative Procedure Act is unnecessary, and the amendment may become effective immediately.

The amendments adopted herein are issued pursuant to authority contained in sections 4 (i) 5 (d) (1) and 303 (r) of the Communications Act of 1934, as amended; paragraph 3–A of the Administrative Procedure Act; and section 0.341 of the Commission's rules.

It is ordered, This 16th day of September 1955, that, effective immediately, § 4.602 of the Commission's rules and regulations is amended as set forth below:

A. Footnote designator 2 is inserted after "Band C" in the Table in paragraph (a).

B. The following footnote to the table is inserted following footnote 1.

"No frequency assignments in the 10500–10700 Mc band will be made to television auxiliary broadcast stations, pending determination of sharing arrangements between various communication services pursuant to footnote US15 to § 1.104 of this chapter.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U. S. C. 303)

Released: September 19, 1955.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P MASSING,
Acting Secretary.

[F. R. Doc. 55–7731; Filed, Sept. 23, 1955; 8:48 a. m.]

[Rules Amdt. 12–14]

PART 12—AMATEUR RADIO SERVICE

LOCATION OF OFFICES OF REGIONAL MANAGERS OF FIELD ENGINEERING AND MONITORING BUREAU

In the matter of amendment of Appendix 1 of Part 12 of the Commission's rules and regulations to effect certain editorial changes therein.

The Commission having under consideration certain editorial changes in Appendix 1 of Part 12 of its rules and regulations; and

It appearing that the amendments adopted herein are editorial in nature, and, therefore, prior publication of Notice of Proposed Rule Making under the provisions of section 4 of the Administrative Procedure Act is unnecessary, and the amendments may become effective immediately; and

It further appearing that the amendments adopted herein are issued pursuant to authority contained in sections 4 (i) 5 (d) (1) and 303 (r) of the Communications Act of 1934, as amended, and section 0.341 (a) of the Commission's Statement of Organization, Delegations of Authority and Other Information;

It is ordered, This 16th day of September 1955, that, effective immediately, Appendix 1 of Part 12 of the Commission's rules and regulations is amended as set forth below.

Released: September 19, 1955.

(Sec. 4, 48 Stat. 1066 as amended; 47 U. S. C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U. S. C. 303)

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P MASSING,
Acting Secretary.

Amend Appendix I of Part 12, Amateur Radio Service, by the addition of introductory text and a listing of the location of the offices of the regional managers of the Field Engineering and Monitoring Bureau as follows:

The offices of the Regional Managers of the Field Engineering and Monitoring Bureau are located at the following addresses:

Region No. 1. 954 Federal Building, 641 Washington Street, New York 14, N. Y. To include: District Nos. 1, 2, 3, 4, 5, 20, and 24.

Region No. 2: 718 Atlanta National Building, 50 Whitehall Street SW., Atlanta 3, Ga. To include: District Nos. 6, 7, 8, 9, 10, and 22.

Region No. 3: 323-A Customhouse, San Francisco 26, Calif. To include District Nos. 11, 12, and 15.

Region No. 4: 802 Federal Office Building, Seattle 4, Wash. To include: District Nos. 13, 14, and 23.

Region No. 5: P. O. Box 1142, Lanikai, Oahu, Hawaii. To include: District No. 21.

Region No. 6: 832 U. S. Courthouse, Chicago 4, Ill. To include: District Nos. 16, 17, 18, and 19.

[F R. Doc. 55-7732; Filed, Sept. 23, 1955; 8:48 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Commodity Stabilization Service

[7 CFR Part 814]

PUERTO RICO

NOTICE OF HEARING ON PROPOSED ALLOTMENT OF 1956 SUGAR QUOTAS

Pursuant to the authority contained in the Sugar Act of 1948, as amended (61 Stat. 922, as amended by 65 Stat. 318; 7 U. S. C. Sup. 1100) in accordance with the applicable rules of practice and procedure (7 CFR 801.1 et seq.), and on the basis of information before me, I do hereby find that the allotment of (1) the 1956 sugar quota for Puerto Rico for consumption in the continental United States, (2) the direct-consumption portion thereof, and (3) the 1956 sugar quota for local consumption in Puerto Rico is necessary to prevent disorderly marketing and importation of such sugar and to afford all interested persons an equitable opportunity to market such sugar in the continental United States and Puerto Rico, respectively, and hereby give notice that a public hearing will be held at Santurce, Puerto Rico, in the Conference Room, Caribbean Area Office, ASC, Segarra Building on October 5, 1955, at 10:00 a. m. The quotas and portions thereof to be allotted are referred to herein as "mainland quota" "direct-consumption portion" and "local quota," respectively.

The purpose of such hearing is to receive evidence to enable the Secretary of Agriculture to make fair, efficient, and equitable allotments of the above-mentioned quotas among persons (1) who produce and market Puerto Rican sugar to be brought into the continental United States for consumption therein, (2) who produce or refine and market direct-consumption sugar to be brought into the continental United States for consumption therein and (3) who produce and market sugar for local consumption in Puerto Rico. The hearing will relate first to the allotment of the 1956 mainland and local quotas. Immediately upon completion of this part of the hearing, evidence will be received in regard to the allotment of the direct-consumption portion of the 1956 mainland quota.

The findings made above are in the nature of preliminary findings based on the best information now available. It will be appropriate to present evidence at the hearings on the basis of which the Secretary of Agriculture may affirm, modify, or revoke such preliminary findings and make or withhold allotment of any such quota or portion thereof in accordance therewith.

In addition, the subjects and issues of this hearing also include (1) the manner in which the statutory factors of "processings from proportionate shares," "past marketings," and "ability to market," as provided in section 205 (a) of the said act, should be measured; (2) the relative weightings which should be given to these factors; (3) participation in the allotments by producers of sugarcane who receive sugar in settlement therefor; (4) the transfer or exchange of allotments; and (5) the manner in which sugar is to be charged to allotments.

Notice also is given hereby that it will be appropriate at the hearing to present evidence on the basis of which the Secretary may revise or amend the allotment of the quota or proration thereof for the purposes of (1) allotting any additional quota resulting from proration of area deficits, or allotting any deficit in the allotment for any allottee, and (2) substituting revised estimates of data or final actual data for estimates of such data wherever estimates are used in the formulation of an allotment of a quota.

Issued this 21st day of September 1955.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 55-7745; Filed, Sept. 23, 1955; 8:51 a. m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 130]

DRUGS EXEMPTED FROM PRESCRIPTION-DISPENSING REQUIREMENTS OF SECTION 503 (b) (1) (C) OF THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

NOTICE OF PROPOSED RULE MAKING

Notice is given that the Commissioner of Food and Drugs, in accordance with the Federal Food, Drug, and Cosmetic Act (secs. 503 (b) (3) 505 (c) 701 (a) 65 Stat. 649, 52 Stat. 1052, 1055; 21 U. S. C. 353 (b) (3), 355 (c), 371 (a)) and the authority delegated to him by the Secretary of Health, Education, and Welfare (21 CFR, 1954 Supp., 1.108 (c)) hereby offers an opportunity to all interested persons to submit their views in writing to the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D. C., within 30 days from the date of publication of this notice in the FEDERAL REGISTER on the proposed amendment set forth below.

It is proposed to amend paragraph (a) of § 130.1 *Exemption for certain drugs limited by new-drug applications to prescription sale* by adding the following new subparagraph (6)

(6) Meclizine hydrochloride (1-*p*-chlorobenzhydryl - 4 - *m* - methylbenzylpiperazine dihydrochloride) preparations meeting all the following conditions:

(i) The meclizine hydrochloride is prepared, with or without other drugs, in tablet or other dosage form suitable for oral use in self-medication, and containing no drug limited to prescription sale under the provisions of section 503 (b) (1) of the act.

(ii) The meclizine hydrochloride and all other components of the preparation meet their professed standards of identity, strength, quality, and purity.

(iii) If the preparation is a new drug, an application pursuant to section 505 (b) of the act is effective for it.

(iv) The preparation contains not more than 25 milligrams of meclizine hydrochloride per dosage unit.

(v) The preparation is labeled with adequate directions for use in the prevention of motion sickness.

(vi) The dosages recommended or suggested in the labeling do not exceed: For adults, 50 milligrams of meclizine hydrochloride per 24-hour period; for children 6 to 12 years of age, 25 milligrams of meclizine hydrochloride per 24-hour period.

(vii) The labeling bears, in juxtaposition with the dosage recommendations, clear warning statements against:

(*a*) Exceeding the recommended dosage.

(*b*) Administration of the drug to children under 6 years of age, except as directed by a physician.

(*c*) Driving a car or operating machinery while using the drug, since it may cause drowsiness.

(*d*) Keeping the drug within reach of children, if it is in candy form.

The proposed amendment removes the drugs mentioned therein from the prescription-dispensing requirements of the Federal Food, Drug, and Cosmetic Act (sec. 503 (b) (1) (C), 52 Stat. 1052, 65 Stat. 648; 21 U. S. C. 353 (b) (1) (C)) These drugs were previously limited by their new-drug applications to use under professional supervision because the scientific data establishing the toxic potential of the drugs and their intended uses showed that they were safe only if used under professional supervision.

Pursuant to the regulations in § 1.108 (c) of this chapter (21 CFR, 1954 Supp., 1.108 (c)) petitions have been submitted to remove the prescription restrictions

from these drugs. Evidence now available through investigation and marketing experience shows that the drugs can be safely used by the laity in self-medication if they are used in accordance with the proposed labeling. The restriction to prescription sale is no longer necessary for the protection of the public health.

This action in removing the prior restriction limiting these drugs to prescription sale is taken under the authority of the Federal Food, Drug, and Cosmetic Act (secs. 503 (b) (3) 503 (c) 52 Stat. 1052, 65 Stat. 649; 21 U. S. C. 353 (b) (3) 355 (c)) which provides for and requires the removal of such restrictions if they are not necessary for the protection of the public health.

Dated: September 19, 1955.

[SEAL] GEO. P LARRICK,
Commissioner of Food and Drugs.

[F. R. Doc. 55-7717; Filed, Sept. 23, 1955; 8:45 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T. D. 53900]

WHITE OR IRISH POTATOES, OTHER THAN CERTIFIED SEED

TARIFF-RATE QUOTA

SEPTEMBER 20, 1955.

The tariff-rate quota for white or Irish potatoes, other than certified seed, pursuant to Item 771 (second) Part I, Schedule XX, of the General Agreement on Tariffs and Trade (T. D. 51802) for the 12-month period beginning September 15, 1955, is 1,000,000 bushels of 60 pounds each.

The estimate of the production of white or Irish potatoes, including seed potatoes, in the United States for the calendar year 1955, made by the United States Department of Agriculture as of September 1, 1955, was 392,539,000 bushels.

In accordance with the third proviso to the aforesaid Item 771, the 1,000,000 bushels prescribed in the second proviso are not increased since the estimated production is greater than 350,000,000 bushels.

[SEAL] RALPH KELLY,
Commissioner of Customs.

[F. R. Doc. 55-7730; Filed, Sept. 23, 1955; 8:48 a. m.]

DEPARTMENT OF AGRICULTURE

Commodity Stabilization Service

PEANUTS

REDELEGATION OF FINAL AUTHORITY BY FLORIDA STATE AGRICULTURAL STABILIZATION AND CONSERVATION COMMITTEE

Section 729.731 of the Marketing Quota Regulations for the 1956 Crop of Peanuts (20 F R. 6033) issued pursuant to the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1301-1376) provides that any authority delegated to the State Agricultural Stabilization and Conservation Committee by the regulations may be redelegated by the State Committee. In accordance with Section 3 (a) (1) of the Administrative Procedure Act (5 U. S. C. 1002 (a)) which requires delegations of final authority to be published in the FEDERAL REGISTER, there are set out herein the redelegations of final authority which have been made by the Florida State Agricultural Stabilization and Conservation Committee of authority vested in such committee by the Secretary of Agriculture in the regulations referred to above. Shown below are the sections of the regulations in which such authority appears and the person to whom the authority has been redelegated:

FLORIDA

Sections 729.711 (1) (5), 729.717 (b) (5), 729.718, 729.720 (a), 729.722 (a), 729.724 (b), 729.727 (a), and 729.728—State Administrative Officer or Acting State Administrative Officer of the Office of the State ASC Committee.

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply secs. 301, 358, 359, 361-368, 372, 373, 374, 376, 388, 52 Stat. 38, 62, 63, 64, 65, 66, 68, as amended; 55 Stat. 88, as amended, 66 Stat. 27; 7 U. S. C. 1301, 1359, 1359, 1361-1368, 1372, 1373, 1374, 1376, 1383)

Issued at Washington, D. C., this 21st day of September 1955.

[SEAL] PRESTON RICHARDS,
Acting Administrator,
Commodity Stabilization Service.

[F. R. Doc. 55-7746; Filed, Sept. 23, 1955; 8:21 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

KNUTSEN LINE ET AL.

NOTICE OF AGREEMENTS FILED FOR APPROVAL

Notice is hereby given that the following described agreements have been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, as amended; 39 Stat. 733, 46 U. S. C. 814.

(1) Agreement No. 8046, between the carriers comprising the Knutsen Line joint service, and Waterman Steamship Corporation covers the transportation of cargo under through bills of lading from the Far East to Puerto Rico, with transhipment at specified Pacific Coast ports of the United States. Agreement No. 8046 will supersede and cancel Agreement No. 7891.

(2) Agreement No. 8047 between A. E. Coppersmith and Marguerite Capps, both freight forwarders, provides that Marguerite Capps will perform for A. E. Coppersmith at the port of San Diego, California, all detail work in clearing import shipments through U. S. Customs and process all necessary documents and perform such other forwarding services as requested in connection with export shipments. A. E. Coppersmith will perform like services for Marguerite Capps at the port of Los Angeles, California.

(3) Agreement No. 8048, between Moore-McCormack Lines, Inc., and Panama Canal Company (Panama Line) covers the transportation of cargo under through bills of lading from Pacific Coast ports of the United States and Canada to Port-au-Prince, Haiti, with transhipment at Cristobal, Canal Zone.

Interested parties may inspect these agreements and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to any of the agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: September 20, 1955.

By order of the Federal Maritime Board.

[SEAL] GEO. A. VIEHMANN,
Assistant Secretary.

[F. R. Doc. 55-7727; Filed, Sept. 23, 1955; 8:47 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 914]

ARTHUR W GLOSE

NOTICE OF POSTPONEMENT OF PREHEARING CONFERENCE

In the matter of the application of Arthur W Glose for a certificate of public convenience and necessity to transport by air in interstate commerce, property including household goods, and related articles, between airports in Pennsylvania, Camden and Newark, New Jersey, New York, New York, and Wilmington, Delaware; and airports in other states named herein.

Notice is hereby given that prehearing conference in the above-entitled proceeding, assigned to be held on September 20, 1955, is postponed to October 3, 1955, 10:00 a. m., e. s. t., in Room E-206, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner F. Merritt Ruhlen.

Dated at Washington, D. C., September 20, 1955.

[SEAL] FRANCIS W BROWN,
Chief Examiner.

[F. R. Doc. 55-7747; Filed, Sept. 23, 1955; 8:52 a. m.]

CIVIL SERVICE COMMISSION

CERTAIN ACTUARY POSITIONS IN THE BALTIMORE, MARYLAND, AREA

NOTICE OF INCREASE IN MINIMUM RATES OF PAY

Under the provisions of section 803 of the Classification Act of 1949, as

amended (68 Stat. 1106; 5 U. S. C. 1133) pursuant to 5 CFR 25.103, 25.105, the Commission has increased the minimum rate of pay for positions at GS–5 and GS–7 in the Actuary series, GS–1510–0. The new rate for GS–5 has been set at $4,345 (the sixth step of the grade) and for GS–7 at $4,930 (the fourth step of the grade) This increase will be effective on the first day of the first pay period which begins after September 24, 1955, and applies to these positions in the Baltimore, Maryland, area.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 55–7739; Filed, Sept. 23, 1955; 8:49 a. m.]

FARM CREDIT ADMINISTRATION

Federal Farm Mortgage Corporation

NEBRASKA

DISPOSAL OF MINERAL INTERESTS; REVISED AREA DESIGNATION

For the purpose of the mineral disposal program of the Federal Farm Mortgage Corporation, pursuant to Public Law 760, 81st Congress, Platte County, Nebraska, is hereby determined to be a Fair Market Value Area (area in which mineral interests are to be sold for their fair market value) instead of a One Dollar Area (area in which mineral interests covered by a single application are to be sold for a consideration of $1.00)

(Sec. 3, 64 Stat. 769; Sec. 7 (a), 67 Stat. 393)

[SEAL] J. L. WILKINSON,
Treasurer
Federal Farm Mortgage Corporation.

Approved at Washington, D. C., on September 20, 1955:

B. F VIEHMANN,
Acting Governor
Farm Credit Administration.

[F. R. Doc. 55–7726; Filed, Sept. 23, 1955; 8:47 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 11271; FCC 55M–808]

RADIO TIFTON (WTIF)

ORDER CONTINUING HEARING

In re application of Charlie H. Parish, Jr., and Charlie H. Parish, Sr., d/b as Radio Tifton (WTIF) Tifton, Georgia, Docket No. 11271, File No. BP–9415; for construction permit.

The Hearing Examiner having under consideration a petition filed on September 19, 1955, on behalf of Tifton Broadcasting Corporation, licensee of Station WWGS, Tifton, Georgia, a party in the above-entitled proceeding, requesting that the hearing therein now scheduled to be held on October 5, 1955, be continued until November 8, 1955; and

It appearing that sufficient good cause has been set forth in the above petition to warrant a grant of the relief requested therein; and

It further appearing that counsel for Radio Tifton (WTIF) and for the Broadcast Bureau of this Commission, the only other parties to the above-entitled proceeding, have consented to a grant of the said petition and to a waiver of Section 1.745 of the Commission's rules;

It is ordered This 19th day of September 1955, that the above petition be, and it is hereby, granted and that the hearing in the above-entitled proceeding is hereby continued until 10:00 o'clock a. m., Tuesday, November 8, 1955, in the offices of this Commission, Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P MASSING,
Acting Secretary.

[F. R. Doc. 55–7734; Filed, Sept. 23, 1955; 8:49 a. m.]

[Docket No. 11310; FCC 55M–805]

NORTHERN CORP. (WMEX)

ORDER CONTINUING HEARING

In re application of The Northern Corporation (WMEX) Boston, Massachusetts; Docket No. 11310, File No. BR–833; for renewal of license.

The Hearing Examiner having under consideration a motion, filed on September 16, 1955, on behalf of the Chief of the Broadcast Bureau of this Commission, requesting that the hearing in the above-entitled proceeding, now scheduled to be held on September 20, 1955, be postponed until October 25, 1955, an oral opposition to the said motion, presented on behalf of counsel for The Northern Corporation (WMEX) and oral argument on the said motion and opposition, which was held before the undersigned Hearing Examiner on September 16, 1955; and

It appearing from the above motion and oral argument thereon that Bureau Counsel assigned to the said proceeding has not had an opportunity to make arrangements with witnesses to be called therein on behalf of the Broadcast Bureau due to the fact that he has been engaged for a considerable period of time in other hearings and in the preparation for other pre-hearing conferences and that he will be engaged in such hearings on September 20, 1955, and during the remainder of that month and a substantial part of October 1955; and

It further appearing that counsel for The Northern Corporation (WMEX) presented no convincing arguments of a meritorious character in opposition to the said motion and that therefore sufficient good cause has been shown to warrant a grant of the relief requested herein;

It is ordered, This 16th day of September 1955, that the above motion be, and it is hereby granted; and that the hearing in the above-entitled proceeding is hereby continued until 10:00 o'clock a. m., on Tuesday, October 25, 1955, in the offices of this Commission, Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P MASSING,
Acting Secretary.

[F. R. Doc. 55–7735; Filed, Sept. 23, 1955; 8:49 a. m.]

[Docket No. 11371; FCC 55M–701]

DEEP SOUTH BROADCASTING CO. (WSLA)

ORDER CONTINUING HEARING

In re application of Deep South Broadcasting Company (WSLA), Selma, Alabama, Docket No. 11371, File No. BMPCT–2100 for modification of construction permit.

The Hearing Examiner having under consideration an oral request from counsel for Capitol Broadcasting Co., the permittee of Television Station WCOV–TV Montgomery, Alabama, a party in the above-entitled proceeding, for a short continuance of the hearing now scheduled for September 22, 1955;

It appearing that accommodation of counsel for other scheduled hearings makes this continuance desirable and that all parties have consented thereto;

It is ordered, This 14th day of September 1955, that the hearing now scheduled for September 22, 1955, is continued to September 26, 1955, at 10:00 a. m. in Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P MASSING,
Acting Secretary.

[F. R. Doc. 55–7736; Filed, Sept. 23, 1955; 8:49 a. m.]

[Docket No. 11415; FCC 55M–806]

KOSSUTH COUNTY BROADCASTING CO., INC.

ORDER CONTINUING HEARING

In re application of Kossuth County Broadcasting Company, Inc., Algona, Iowa, Docket No. 11415, File No. BP–9045; for construction permit.

The Hearing Examiner has before him a petition filed by counsel for the Broadcast Bureau on September 16, 1955 to continue hearing in the above-entitled matter from 10:00 a. m., September 19, 1955 to 10:00 a. m., September 29, 1955; and

It appearing that all parties to the proceeding have consented to immediate consideration of the petition and to its grant;

It is ordered, This 19th day of September 1955, that hearing in the above matter is continued to 10:00 a. m., September 29, 1955.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P MASSING,
Acting Secretary.

[F. R. Doc. 55–7737; Filed, Sept. 23, 1955; 8:49 a. m.]

FEDERAL DEPOSIT INSURANCE CORPORATION

ORDER FOR REPORT OF SUMMARY OF DEPOSITS

Pursuant to the provisions of Sections 9 and 10 (e) of the Federal Deposit Insurance Act: *It is ordered,* That each insured bank shall submit to the Federal Deposit Insurance Corporation on or before October 3, 1955, a report of its deposits as of the close of business September 21, 1955, on Form 89—Call No. 7,[1] entitled "Summary of Deposits" and said report shall be prepared in accordance with "Instructions for Preparation of Summary of Deposits, Form 89—Call No. 7 at the close of business on September 21, 1955"[1]

FEDERAL DEPOSIT INSURANCE CORPORATION,
[SEAL] E. F. DOWNEY,
Secretary.

[F. R. Doc. 55-7748; Filed, Sept. 23, 1955; 8:52 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-8932 etc.]

PACIFIC NORTHWEST PIPELINE CORP. ET AL.

ORDER GRANTING IN PART AND DENYING IN PART MOTIONS TO DISMISS, DENYING MOTIONS FOR REVERSAL AND POSTPONING ACTION ON MOTION FOR SEVERANCE

In the matters of Pacific Northwest Pipeline Corporation, Docket Nos. G-8932, G-8933, and G-8934; El Paso Natural Gas Company, Docket No. G-8940; Nevada Natural Gas Pipe Line Company, Docket No. G-8997.

A motion to sever the proceedings in the matters of El Paso Natural Gas Company (El Paso) Docket No. G-8940, and Nevada Natural Gas Pipe Line Co. (Nevada Natural) Docket No. G-8997, from the proceedings in the matters of Pacific Northwest Pipe Line Company (Pacific Northwest), Docket Nos. G-8932, G-8933 and G-8934, was made on July 13, 1955, at the hearing by Counsel for Intervener, Pacific Gas and Electric Company (P. G. & E.) A motion was also made at that time by P. G. & E. to dismiss the part of the application of El Paso in Docket No. G-8940 requesting authority to construct and operate facilities extending from proposed connections with the facilities of Pacific Northwest to connections with P. G. & E. at the California border for the delivery of up to 250,000 Mcf of natural gas per day to P G. & E. for transportation by P G. & E. to points within the State of California by means of facilities to be constructed and operated by P. G. & E. The following day Counsel for certain intervening coal and oil interests (competing fuel interests) moved on the record for dismissal of all of the applications in the above-entitled matters. The authorizations requested by the various applications in these matters are briefly described as follows, and are more fully set forth in the applications.

On May 23, 1955, Pacific Northwest filed (1) an application in Docket No. G-8932 under section 3 of the Natural Gas Act for an order authorizing the importation up to 300,000 Mcf of natural gas per day from Canada into the United States and the exportation of natural gas from the United States into Canada; and (2) an application in Docket No. G-8933 for a Permit in accordance with Executive Order No. 10485 authorizing the construction, connection, operation and maintenance at the International Boundary of the United States and Canada of natural gas pipeline facilities to be used for the importation of natural gas from Canada into the United States and for the exportation of natural gas from the United States into Canada.

Pacific Northwest also filed an application on May 23, 1955, in Docket No. G-8934, which was amended on June 15, for a certificate of public convenience and necessity under section 7 of the act authorizing Pacific Northwest to extend its system in northern Idaho and Washington, to increase the dimensions of its pipelines north of the Columbia River crossing at Umatilla, Oregon, and increase its system compressor station capacity by 11,340 horsepower, together with miscellaneous facilities, for the transportation and sale of approximately 300,000 Mcf of additional natural gas per day, consisting principally of the sale and delivery at Pacific Northwest's main line Compressor Station No. 11 at Mountain Home, Idaho, of a maximum of 250,000 Mcf per day to El Paso, which together with the proposed exportation to Canada and the sale to new markets in Idaho and Washington in the additional amount of approximately 50,000 Mcf per day, equals the maximum daily amount of gas that Pacific Northwest proposes to import from Canada.

On July 18, 1955, Pacific Northwest filed a second amendment to its application in Docket No. G-8934. This second amendment which was designated an "alternate plan" would eliminate the proposed sale of 250,000 Mcf per day at Mountain Home, Idaho, and substitute therefore a proposal to sell such gas at various points on its system. The change in the facilities as proposed by the July 18, 1955, amendment would result in increasing the diameter of certain lateral pipelines over and above the increases proposed by the application of May 23, 1955, the construction and operation of an additional lateral line near Burlington, Washington, and a decrease in compressor capacity required on Pacific Northwest's system in the net amount of 7,000 horsepower from that originally requested in Docket No. G-8934.

El Paso filed application on May 23, 1955, which was amended on May 31, for a certificate of public convenience and necessity under section 7 of the act authorizing El Paso to construct and operate facilities for the transportation and sale of natural gas under one of three proposed plans, designated Plans A, B, and C.

Under Plan A, El Paso proposed to construct and operate facilities for the transportation of 500,000 Mcf of natural gas per day from the San Juan Basin in north New Mexico and southwest Colorado, and 50,000 Mcf from the Permian Basin in west Texas and southeast New Mexico, for the sale and delivery of 70,000 Mcf of additional gas per day to various customers along El Paso's pipeline system in Texas, New Mexico, and Arizona, and for the sale and delivery of an additional 225,000 Mcf per day to P G. & E., and an additional 225,000 Mcf per day jointly to the Southern California Companies, and an additional 30,000 Mcf per day to Nevada Natural. El Paso proposed to deliver this additional gas to P G. & E. and to the Southern California Companies at a point on the Arizona-California boundary near Topock, Arizona. The delivery to Nevada Natural is proposed to be made near Topock, Arizona.

Under Plan B, El Paso proposed to construct and operate facilities for the transportation of 250,000 Mcf of natural gas per day from the San Juan Basin, 50,000 Mcf from the Permian Basin, and the purchase of a maximum of 250,000 Mcf from Pacific Northwest at its main line Compressor Station No. 11 at Mountain Home, Idaho. 200,000 Mcf per day of the additional gas from the San Juan and Permian Basins would be sold and delivered to P G. & E. and to the Southern California Companies on the Arizona-California Boundary near Topock. The sale and delivery of additional gas to Nevada Natural and to the various customers along El Paso's pipeline system in Texas, New Mexico and Arizona would be the same as under Plan A. The 250,000 Mcf of gas per day which El Paso proposed to receive from Pacific Northwest at Mountain Home, Idaho, under Plan B, would be sold by El Paso to P. G. & E. and the Southern California Companies and delivered at a proposed connection with P. G. & E. at a point on the Nevada-California boundary near Reno, Nevada.

Under Plan C, El Paso proposed to construct and operate facilities for the transportation and sale of natural gas as set forth in Plan B, except that instead of receiving the 250,000 Mcf of gas per day at Mountain Home and delivering it at the aforesaid point near Reno, El Paso proposed to receive 250,000 Mcf per day from Pacific Northwest at a point near Pendleton, Oregon and deliver it to P. G. & E. at a point on the California-Oregon boundary near Kalmath Falls, Oregon.

On July 29, 1955, El Paso filed an amendment to its application in Docket No. G-8940 in which it proposed Plan D. By its Plan D, El Paso proposed the construction and operation of facilities for the sale and delivery from sources within the Permian and San Juan Basins up to 300,000 Mcf of natural gas per day, 100,000 Mcf of which would be delivered jointly to the Southern California Companies at the Arizona-California boundary near Blythe, California, and 100,000 Mcf per day to P G. & E. at the Arizona-California boundary near Topock, Arizona. El Paso proposed to sell and deliver 30,000 Mcf per day to Nevada Natural at a point near Topock, Arizona, and it proposed to sell and deliver the remaining 70,000 Mcf per day to various other customers of El Paso located within the states of Arizona, New Mexico, and Texas. In addition, El Paso

[1] Filed as part of original document.

proposed to construct and operate facilities for the transportation of 250,000 Mcf of natural gas per day from a point of connection with the pipe line system of Pacific Northwest at its compressor station No. 11 near Mountain Home, Idaho, to a point known as Vernalis Junction in San Joaquin County, California, which is located in the area generally referred to as the Bay Area, for the sale and delivery at Vernalis Junction of up to 250,000 Mcf per day to El Paso's aforesaid California customers.

On August 29, 1955, El Paso filed an amendment to its application as amended in Docket No. G–8940, proposing Plan E. By its Plan E, El Paso proposed the construction and operation of facilities for the sale and delivery from sources within the Permian and San Juan Basins up to 300,000 Mcf of natural gas per day 100,000 Mcf of which would be delivered jointly to the Southern California Companies at the Arizona-California boundary near Blythe, California, and 100,000 Mcf per day to P G. & E. at the Arizona-California boundary near Topock, Arizona. El Paso proposed to sell and deliver 30,000 Mcf per day to Nevada Natural at a point near Topock, Arizona, and to sell and deliver the remaining 70,000 Mcf per day to various customers of El Paso located within the states of Arizona, New Mexico, and Texas.

On August 30, 1955, El Paso filed an amendment to its application as amended in Docket No. G–8940, proposing Plan F By its Plan F El Paso proposes the construction and operation of facilities for the sale and delivery from sources within the Permian and San Juan Basins up to 450,000 Mcf of natural gas per day, 175,000 Mcf of which would be delivered jointly to the Southern California Companies and 175,000 Mcf per day to P G. & E. at the Arizona-California boundary near Topock, Arizona. El Paso proposes to sell and deliver 30,000 Mcf per day to Nevada Natural at a point near Topock, Arizona, and it proposes to sell and deliver the remaining 70,000 Mcf per day to various other customers of El Paso located within the States of Arizona, New Mexico, and Texas. El Paso proposes to deliver from sources within the Permian Basin up to an additional 100,000 Mcf of natural gas per day and to transport from sources within the San Juan Basin up to an additional 350,000 Mcf per day.

Of the gas to be transported from the San Juan Basin area under Plan F El Paso proposes to acquire up to 50,000 Mcf of natural gas per day at the Canadian border to be imported into this country by Pacific Northwest and this volume of gas would, under an agreement with Pacific Northwest, be exchanged for an equal quantity of gas to be furnished by Pacific Northwest to El Paso in the San Juan Basin. El Paso also proposes to deliver 50,000 Mcf of natural gas per day from its own production in the Pinedale, Sublette County, Wyoming area to Pacific Northwest at a point near what is known as the Big Piney field in southwestern Wyoming. An equivalent amount of gas to that delivered to Pacific Northwest at the Big Piney field would be returned by Pacific Northwest to El Paso at a point within the San Juan Basin area. The remaining 250,000 Mcf of natural gas per day to be delivered from the San Juan Basin area would be produced by El Paso or purchased from other sources in the San Juan Basin.

In addition El Paso proposes to make field exchanges of gas with Pacific Northwest at wellhead connections in the San Juan Basin in the maximum amount of 100,840 Mcf per day on a temporary basis.

Nevada Natural filed application in Docket No. G–8997, on June 3, 1955, for a certificate of public convenience and necessity, under section 7 of the act, authorizing Nevada Natural to construct and operate facilities, consisting principally of approximately 114 miles of loop line and approximately 42 miles of sales laterals and extensions, for the transportation of a maximum of 30,000 Mcf of additional natural gas per day (over and above the volume of 20,000 Mcf per day which El Paso is presently authorized to sell Nevada Natural) through a connection with the aforesaid facilities of El Paso near Topock, Arizona, for sale to Nevada Southern Gas Company and to California-Pacific Utilities Company for resale in the Las Vegas and Henderson, Nevada, areas, respectively, and for the transportation of natural gas for direct sales to certain additional industrial customers of Nevada Natural in those areas of the State of Nevada.

The proposal by El Paso for the transportation and sale of up to 300,000 Mcf of additional gas per day from the Permian and San Juan Basins to the Arizona-California border and points en route is referred to as El Paso's "300,000 Mcf Project" While the 300,000 Mcf Project is included in Plans A, B, C, D, E, and F Plan E is the only one in which it is separated from other Proposals of El Paso.

In Plan A, in addition to the 300,000 Project, El Paso proposes to construct and operate facilities for the transportation and sale of 250,000 Mcf of natural gas to be purchased from Pacific Northwest in the San Juan Basin. Pacific Northwest has stated on the record that it will not sell this volume of gas to El Paso in the San Juan Basin. Consequently, this part of El Paso's proposal falls for an admitted lack of gas supply.

With respect to Plans B and C, it has been stated on the record by representatives of P G. & E. that it will not take delivery of the gas from El Paso at the points proposed in those plans. This includes the 250,000 Mcf of gas which Pacific Northwest proposes to deliver to El Paso at Mountain Home, Idaho. Therefore, El Paso's plans B and C and Pacific Northwest's proposed Mountain Home delivery falls for lack of a market for such volume of gas. El Paso states in its August 29 and August 30 amendments that P. G. & E. also is unwilling to take the Mountain Home gas at the point which El Paso proposes to deliver such gas to P. G. & E. in its Plan D, and therefore El Paso does not desire to prosecute Plan D.

In the interests of orderly procedure in these matters, it is appropriate at this time to dismiss that part of Pacific Northwest's application in Docket No. G–8934 with respect to its proposal to deliver 250,000 Mcf of natural gas per day at Mountain Home, Idaho, and to dismiss those parts of Plans A, B, C, and D of El Paso's application in Docket No. G–8940 which do not pertain to El Paso's 300,000 Mcf project described above.

The Presiding Examiner rejected certain evidence with respect to the proposal of Pacific Northwest for the sale and delivery of 250,000 Mcf of natural gas per day to El Paso at Mountain Home, Idaho. He also rejected certain evidence concerning the proposals of El Paso for the transportation and sale of 250,000 Mcf of natural gas per day to be purchased from Pacific Northwest under El Paso's plans A, B, and C. Pacific Northwest and El Paso have appealed to the Commission requesting reversal of these rulings of the Presiding Examiner. These motions for reversal of rulings of the Presiding Examiner should be denied for the reasons discussed above respecting the motions to dismiss.

Since the applications as amended in these matters may involve related questions of fact, final action on the aforesaid motion to sever should be postponed.

The Commission finds: Good cause exists, and it is appropriate in carrying out the provisions of the Natural Gas Act (1) to grant, in part, and deny in part, the motions to dismiss; (2) to deny the motions for reversal of rulings of the Presiding Examiner; and (3) to postpone final action on motion for severence, as hereinafter ordered.

The Commission orders:

(A) That part of the application of Pacific Northwest in Docket No. G–8934 in which it proposed to sell and deliver 250,000 Mcf of natural gas per day to El Paso at Mountain Home, Idaho, be and the same hereby is dismissed, and the motions to dismiss the application of Pacific Northwest, be and the same are in all other respect denied.

(B) Those parts of the application of El Paso at Docket No. G–8940 in which it proposed to transport and sell 250,000 Mcf of natural gas per day to be purchased from Pacific Northwest under El Paso's Plans A, B, C, and D, be and the same hereby are dismissed, and the motions to dismiss the application of El Paso, be and the same are in all other respects denied.

(C) The motion to dismiss the application of Nevada Natural in Docket No. G–8997, be and the same is denied.

(D) The motions to reverse the aforesaid rulings of the Presiding Examiner, be and the same are denied.

(E) Final action on the aforesaid motion to sever, be and the same is postponed.

(F) The reconvened hearing commencing on September 19, 1955, shall be limited to the issues presented by the applications as amended of Pacific Northwest, El Paso, and Nevada Natural in the above-entitled matters, consistent with the action taken in the preceding

paragraphs (A) through (E) of this order.

Adopted: September 15, 1955.

Issued: September 16, 1955.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 55-7716; Filed, Sept. 23, 1955; 8:45 a. m.]

[Docket No. G-6477 etc.]

EDWIN NIELSEN ET AL.

NOTICE OF APPLICATIONS AND DATE OF HEARING

SEPTEMBER 20, 1955.

In the matters of Edwin Nielsen, et al., Docket No. G-6477; The Citizens National Bank in Abilene, Texas, Executor and Trustee of Ellis A. Hall, Docket No. G-6484; John E. Prothro, Docket Nos. G-6512, G-6513; Leona Cox Skelton, Docket No. G-6521, H. W. Perritt, Docket No. G-6702; Mrs. L. M. Moffit and Mrs. Betty M. Gustine, Docket No. G-6703; Rycade Oil Company, Docket No. G-6739; F. L. Andrews, et al., Docket No. G-6709.

Take notice that the above designated Applicants, hereinafter referred to singly and collectively as Applicant, independent producers of natural gas in Louisiana, Mississippi and Texas, filed applications for certificates of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicant to continue to render service, as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the applications which are on file with the Commission and open to public inspection.

Leona Cox Skelton produces natural gas in Mississippi; H. W Perritt, Mrs. L. M. Moffit, Mrs. Betty M. Gustine and Rycade Oil Corporation all produce natural gas in Louisiana; the other Applicants above named produce natural gas in Texas; all of the applicants named sell the gas so produced in interstate commerce to the United Gas Pipe Line Company for resale.

These matters should be heard on a consolidated record and disposed of as promptly as possible under applicable rules and regulations and to that end:

Take notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's Rules of Practice and Procedure, a hearing will be held on October 21, 1955, at 9:30 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications; *Provided, however* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of section 1.30 (c) (1) or (c) (2) of the Commission's Rules of Practice and Procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the Rules of Practice and Procedure (18 CFR 1.8 or 1.10) on or before October 10, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 55-7720; Filed, Sept. 23, 1955; 8:46 a. m.]

[Docket No. G-6740]

GEORGE R. BROWN

NOTICE OF APPLICATION AND DATE OF HEARING

SEPTEMBER 20, 1955.

Take notice that George R. Brown (Applicant), whose address is Houston, Texas, filed on November 30, 1954, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, which said application was subsequently amended on July 25, including the Applicant's sale of natural gas from other leases as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission.

Applicant produces natural gas from the South Weesatche Field and from the Cabeza Creek Area, Goliad County, Texas, and sells it in interstate commerce to the United Gas Pipe Line Company for resale.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's Rules of Practice and Procedure, a hearing will be held on October 21, 1955, at 9:40 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of section 1.30 (c) (1) of the Commission's Rules of Practice and Procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before October 10, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 55-7719; Filed, Sept. 23, 1955; 8:46 a. m.]

[Docket No. E-6633]

SIERRA PACIFIC POWER CO.

NOTICE OF ORDER AUTHORIZING ISSUANCE OF SECURITIES

SEPTEMBER 20, 1955.

Notice is hereby given that on September 7, 1955, the Federal Power Commission issued its order adopted September 2, 1955, authorizing issuance of securities in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 55-7722; Filed, Sept. 23, 1955; 8:46 a. m.]

[Docket No. E-6639]

PUGET SOUND POWER & LIGHT CO.

NOTICE OF ORDER AUTHORIZING ISSUANCE OF SECURITIES

SEPTEMBER 20, 1955.

Notice is hereby given that on September 6, 1955, the Federal Power Commission issued its order adopted September 2, 1955, authorizing issuance of securities in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 55-7723; Filed, Sept. 23, 1955; 8:46 a. m.]

[Docket No. G-6364 etc.]

LIMA GAS CO. ET AL.

NOTICE OF FINDINGS AND ORDER ISSUING CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

SEPTEMBER 20, 1955.

In the matters of Lima Gas Company, et al., Docket No. G-6964; Lloyd Kelley Lease, et al., Docket No. G-6965; A. J. Huffman Lease, et al., Docket No. G-6966; Sida Hathaway Lease, et al., Docket No. G-6967; H. B. Scott, et al., Docket No. G-6969; Four Way Oil & Gas Company, et al., Docket No. G-6970; Hathaway and Miller, Docket No. G-6971.

Notice is hereby given that on September 8, 1955, the Federal Power Commission issued its findings and order adopted August 31, 1955, issuing certificates of public convenience and necessity in the above-entitled matters.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 55-7724; Filed, Sept. 23, 1955; 8:46 a. m.]

[Docket No. G-9189]

PANHANDLE EASTERN PIPE LINE CO.

NOTICE OF ORDER MODIFYING CONDITION ATTACHED TO CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

SEPTEMBER 20, 1955.

Notice is hereby given that on September 6, 1955, the Federal Power Commission issued its order adopted September 1, 1955, modifying and amending

condition attached to certificate of public convenience and necessity and permitting filing of tariff sheets and service agreement in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-7725; Filed, Sept. 23, 1955; 8:47 a. m.]

[Docket No. G-8540]

CITIZENS UTILITIES CO.

NOTICE OF APPLICATION

SEPTEMBER 20, 1955.

Take notice that Citizens Utilities Company (Applicant) with a principal office in Greenwich, Connecticut, filed on June 22, 1954, an application, and a supplement thereto on June 28, 1955, pursuant to section 7 (a) of the Natural Gas Act, for an order directing Colorado Interstate Gas Company (Colorado Interstate) to (1) install a lateral gas main approximately 5 miles in length from Colorado Interstate's existing meter station on its 8-inch branch line at Ordway, Colorado, to the Town of Sugar City, Crowley County, Colorado, (2) establish physical connection of Colorado Interstate's facilities with those of Applicant at Sugar City and (3) sell and deliver natural gas to Applicant for resale in Sugar City, all as more fully represented in the application and supplement thereto filed herein, and open to public inspection.

Applicant states: Colorado Interstate is presently supplying it natural gas for distribution in La Junta, Rocky Ford, Las Animas, Fowler, Ordway and other communities in Colorado; has available volumes for the supplying Sugar City and should be directed to construct laterals for the rendering of service thereto. That by means of the proposed connection Applicant will purchase natural gas from Respondent for resale in the Town of Sugar City. Approximately 132 and 167 domestic, commercial and industrial consumers are expected to be served with 21,707 Mcf and 31,317 Mcf per year during the first and third years of operation, respectively. The peak requirements will be 313 Mcf and 389 Mcf per day in the first and third years, respectively.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the Rules of Practice and Procedure (18 CFR 1.8 or 1.10) on or before October 26, 1955.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-7721; Filed, Sept. 23, 1955; 8:46 a. m.]